

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ROME DIVISION

IN RE: } CHAPTER 13
} CASE NO. R19-42032-BEM
MARK STEPHEN CARPENTER, } JUDGE ELLIS-MONRO
} DEBTOR(S) }

MOTION FOR DETERMINATION OF STATUS OF FUNDS

COMES NOW, the undersigned counsel on behalf of K. Edward Safir, Standing Chapter 13 Trustee in the above-styled matter and files this, Motion for Determination of Status of Funds and respectfully shows the Court the following:

1.

The Debtor filed for relief under Chapter 13 of Title 11 of the United States Code on September 5, 2019. The Debtor's confirmed Chapter 13 plan provides for allowed nonpriority unsecured claims that are not separately classified to be paid a pro rata portion of the funds remaining after disbursements have been made to all other creditors provided for in the plan. The Debtor's unsecured creditors with allowed and filed claims have a remaining balance owed in the approximate amount of \$9,204.09. The Debtor's case has been pending for approximately twenty-five (25) months.

2.

Pursuant to the confirmed plan, the Debtor surrendered collateral at 116 Shawn Lane, Chatsworth, Georgia, 30705, and subject to a lien held by PennyMac Loan Services, LLC [Doc. No. 20].

K. Edward Safir, Chapter 13 Trustee
285 Peachtree Center Avenue, N.E., Suite 1600
Atlanta, Georgia 30303
(404) 525-1110
sonyab@atlch13tt.com

3.

The Trustee has been informed that a foreclosure sale of the aforementioned property was held.

4.

On or about October 1, 2021, Rubin Lublin LLC forwarded to the Trustee excess proceeds in the amount of \$14,454.29.

5.

Pending an objection and provided there are none either filed or presented orally to the Court, the Trustee specifically requests the approval to disburse the funds pursuant to the terms of the confirmed Chapter 13 plan and for the benefit of the estate.

WHEREFORE, based on the foregoing, the Trustee respectfully moves the Court for an order determining the status of the above-referenced funds and for such further relief as the Court deems just, necessary and proper.

Respectfully submitted this 21st day of October, 2021.

/s/
Sonya Buckley Gordon
Attorney for the Chapter 13 Trustee
GA Bar No. 140987

K. Edward Safir, Chapter 13 Trustee
285 Peachtree Center Avenue, N.E., Suite 1600
Atlanta, Georgia 30303
(404) 525-1110
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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
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IN RE:	}	CHAPTER 13
	}	
MARK STEPHEN CARPENTER,	}	CASE NO. R19-42032-BEM
	}	
DEBTOR(S)	}	JUDGE ELLIS-MONRO

NOTICE OF HEARING

PLEASE TAKE NOTICE that the Chapter 13 Trustee has filed a **Motion for Determination of Status of Funds** and related papers with the Court.

PLEASE TAKE FURTHER NOTICE that the Court will hold an initial telephonic hearing for announcements on the **motion** at the following number: toll-free number: **(833) 568-8864**; meeting ID **1608620914**, at **10:00 AM** on **November 17, 2021** in Courtroom **342**, United States Courthouse, 600 East First Street, Rome, GA 30161.

Matters that need to be heard further by the Court may be heard by telephone, by video conference, or in person, either on the date set forth above or on some other day, all as determined by the Court in connection with this initial telephonic hearing. Please review the "Hearing Information" tab on the judge's webpage, which can be found under the "Dial-in and Virtual Bankruptcy Hearing Information" link at the top of the webpage for this Court, www.ganb.uscourts.gov, for more information.

Your rights may be affected by the Court's ruling on these pleadings. You should read these pleadings carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.) If you do not want the Court to grant the relief sought in these pleadings or if you want the Court to consider your views, then you and/or your attorney must attend the hearing. You may also file a written response to the pleading with the Clerk at the address stated below, but you are not required to do so. If you file a written response, you must attach a certificate stating when, how and on whom (including addresses) you served the response. Mail or deliver your response so that it is received by the Clerk at least two business days before the hearing. The address of the Clerk's Office is Clerk, U. S. Bankruptcy Court, 600 East First Street, Room 339, Rome, GA 30161. You must also mail a copy of your response to the undersigned at the address stated below.

Dated: October 21, 2021

Respectfully submitted,

/s/
Sonya Buckley Gordon
Attorney for the Chapter 13 Trustee
GA Bar No. 140987

K. Edward Safir, Chapter 13 Trustee
285 Peachtree Center Avenue, N.E., Suite 1600
Atlanta, Georgia 30303
(404) 525-1110
sonyab@atlch13tt.com

R19-42032-BEM

CERTIFICATE OF SERVICE

This is to certify that on this day I caused a copy of the foregoing pleading to be served via United States First Class Mail, with adequate postage thereon, on the following parties at the address shown for each:

Mark Stephen Carpenter
419 Cherokee Lane
Chatsworth, GA 30705

Office of the United States Trustee
R. Jeneane Treace
Assistant United States Trustee
362 Richard Russell Building & U.S. Courthouse
75 Ted Turner Drive, S.W.
Atlanta, GA 30303

Rubin Lublin LLC
3145 Avalon Ridge Place, Suite 100
Peachtree Corners, GA 30071

and all parties of interest on the attached creditor matrix.

I further certify that I have on this day electronically filed the pleading using the Bankruptcy Court's Electronic Filing program, which sends a notice of this document and an accompanying link to this document to the following parties who have appeared in this case under the Bankruptcy Court's Electronic Case Filing program:

Saeger & Associates, LLC

This 21st day of October, 2021.

/s/
Sonya Buckley Gordon
Attorney for the Chapter 13 Trustee
GA Bar No. 140987

K. Edward Safir, Chapter 13 Trustee
285 Peachtree Center Avenue, N.E., Suite 1600
Atlanta, Georgia 30303
(404) 525-1110
sonyab@atlch13tt.com

Mark Stephen Carpenter

Child Support Services

(p)GEORGIA DEPARTMENT OF REVENUE

419 Cherokee Lane

417 W Crawford St

COMPLIANCE DIVISION

Chatsworth, GA 30705-5866

Dalton, GA 30720-4267

ARCS BANKRUPTCY

1800 CENTURY BLVD NE SUITE 9100

ATLANTA GA 30345-3202

Sonya Buckley Gordon

Internal Revenue Service

LVNV Funding, LLC

K. Edward Safir, Standing Chapter 13 Tru

Central Insolvency Operation

Resurgent Capital Services

Suite 1600

PO Box 7346

PO Box 10587

285 Peachtree Center Ave, NE

Philadelphia, PA 19101-7346

Greenville, SC 29603-0587

Atlanta, GA 30303-1229

(p)LENDMARK FINANCIAL SERVICES

Midland Credit Management, Inc.

PRA Receivables Management, LLC

2118 USHER ST

PO Box 2037

PO Box 41021

COVINGTON GA 30014-2434

Warren, MI 48090-2037

Norfolk, VA 23541-1021

PennyMac

PennyMac Loan Services, LLC

SFC Central Bankruptcy

PO Box 514387

P.O. Box 2410

PO Box 1893

Los Angeles, CA 90051-4387

Moorpark, CA 93020-2410

Spartanburg, SC 29304-1893

Dan Saeger

K. Edward Safir

Sheena Shields

Saeger & Associates, LLC

Standing Chapter 13 Trustee

107 County Rd 720

Suite D

Suite 1600

Riceville, TN 37370-5785

706 S Thornton Ave

285 Peachtree Center Ave. NE

United States Attorney

Dalton, GA 30720-8212

Atlanta, GA 30303-1259

Northern District of Georgia

Synchrony Bank

Tea Olive, LLC

75 Ted Turner Drive SW, Suite 600

c/o PRA Receivables Management, LLC

PO BOX 1931

Atlanta GA 30303-3309

PO Box 41021

Burlingame, CA 94011-1931

Norfolk, VA 23541-1021

Verizon

United States Attorney

by American InfoSource as agent

Northern District of Georgia

4515 N Santa Fe Ave

75 Ted Turner Drive SW, Suite 600

Oklahoma City, OK 73118-7901

Atlanta GA 30303-3309

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Georgia Department of Revenue
1800 Century Blvd NE Ste 9100
Atlanta, GA 30345-3202

Lendmark Financial Services, LLC
2118 Usher St
Covington, GA 30014

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u) PennyMac Loan Services, LLC	(u) Tea Olive, LLC	End of Label Matrix
		Mailable recipients 21
		Bypassed recipients 2
		Total 23